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TECHNOLOGY CENTER 3600
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In re Application of
Drummond et al
Application No. 09/811,718
Filed: March 19, 2001
For: **AUTOMATED TRANSACTION
MACHINE AND METHOD**

**DECISION ON PETITION
UNDER 37 CFR §1.181**

This is a decision on applicants' Petition to the Commissioner according to 37 CFR 1.181 which was filed December 13, 2006.

The petition is **GRANTED**.

Applicants' petition addresses two issues:

1. To withdraw the Notification of Non-Compliant Appeal Brief dated December 1, 2006 that was erroneously issued by the examiner due to the fact that the new rules for the format of Appeals Briefs had recently been issued.
2. To correct the Office's records to reflect that the most recent Appeal Brief was filed on March 19, 2004.

A review of the record shows that the Appeal Brief of March 19, 2004 is compliant to the rules in effect at the time it was filed. Therefore, the Notifications of Non-Compliant Appeal Brief of July 19, 2006 and December 1, 2006 are improper.

Accordingly, the Notice of Non-Compliant Appeal Brief of July 19, 2006 and December 1, 2006 are hereby **VACATED**.

The application is being forwarded to the examiner of record for proper consideration of the Appeal Brief filed on March 19, 2004.

Any questions regarding this decision should be directed to Supervisory Patent Examiner Thomas Dixon at (571) 272-6803.

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WC/td 4/24/08

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